

Principal Changes in the Tenth Circuit Rules for 2009

There are no changes to the Federal Rules of Appellate Procedure for 2009. The only changes are to the Tenth Circuit Rules. Those changes are outlined below. Both a redlined and original version of the rules can be found on the court's website at www.ca10.uscourts.gov

Tenth Circuit Rules Changes for 2009

Tenth Circuit Rule 8.2(A)(5)

This new rule requires parties filing emergency motions in immigration stay matters to attach relevant agency orders.

Tenth Circuit Rule 25.6

This new rule allows parties, with approval from opposing counsel/parties, to use the court's ECF system to serve pleadings when the court goes live in 2009.

Tenth Circuit Rule 27.3(A)

This is an amendment to the existing rule requiring parties to contact opposing counsel when filing a motion. The amendment requires counsel to contact opposing parties "well in advance of filing a motion." The court has seen a proliferation of situations where opposing counsel is called immediately before filing, and the resulting statement advises that counsel could not be reached. This amendment encourages counsel to communicate with opposing parties well in advance of any pending deadlines.

Grammar Changes Anticipating ECF

Small changes were made in the local rules in various sections alerting practitioners that the court will begin to transition to attorney "ECF" filing in 2009. None of the changes alter the substance of the rules.